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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:

James E. MATHEWS, *et al.*

Serial No: 09/759,202

Filed: January 16, 2001

) BOX: MISSING PARTS
)
) Group Art No. 2673
)
) Examiner: TBA
)
) Docket No. 03797.00090

For: IN-AIR GESTURES FOR ELECTROMAGNETIC COORDINATE DIGITIZERS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

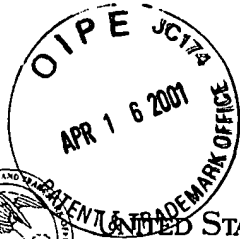
Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b), dated February 28, 2001, Applicants submit herewith a copy of the Notice to File Missing Parts of Nonprovisional Application and a copy the executed Declaration/Power of Attorney signed by Charles Patrick Thacker submitted on the filing date of January 16, 2001. Enclosed are copies of the application transmittal and PTO return postcard reflecting that the executed Declaration was originally submitted on January 16, 2001. Also enclosed are substitute drawings in compliance with 37 CFR 1.136(a). The period for responding to the Notice to File Missing Parts of Nonprovisional Application expires on April 28, 2001. We believe that no fee is associated with the filing of this response, however if a fee may be associated with the filing of this paper to our Deposit Account No. 19-0733.

Respectfully submitted,

By: David S. Lee
David S. Lee
Reg. No. 38,222

BANNER & WITCOFF, LTD.
1001 G Street, N.W.
Washington, D.C. 20001
Dated: April 16, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/759,202	01/16/2001	James E. Mathews	03797.00090

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

CONFIRMATION NO. 6561

FORMALITIES LETTER



OC000000005810505

Date Mailed: 02/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Charles Patrick Thacker
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be 'M', is positioned above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Patent/Design

☒ PATENT ☐ DESIGN

☐ HAND CARRY Group/Section _____ Bldg _____ Rm _____

Serial No. _____ B&W # 03797.00090 Atty/Sec JPC/sqs Date 1/16/01

Inventor Charles P. Thacker et al. Client MICROSOFT

Title IN-AIR GESTURES FOR ELECTRONMAGNETIC COORDINATE DIGITIZERS

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☒ 29 total pp Spec., including : # of Claims 38
(# of independent claims 2); ☒ Abstract

☐ Foreign Priority on _____
Country, Appl. # and Date

☐ Priority on U.S. Prov. _____ B&W# _____

☐ Application : ☐ CIP ☐ Continuation ☐ Divisional
Parent Ser. No. _____ B&W# _____

☐ Provisional App _____ pp Spec/Cls; Cover Sht.

☒ Declaration/POA : ☐ Executed ☐ Unexecuted

☒ Drawings : ☒ Formal ☐ Informal
of distinct sheets 4 : Figs. 1-5

☒ Assignment w/PTO Cover Sheet

☐ Small Entity Declaration

☐ IDS w/PTO 1449 ☐ Prior Art ☐ w/fee

☐ Preliminary Amendment

☐ Response : Missing Parts dtd _____

☐ Request for Expedited Foreign Filing License

☐ Request for Corrected Filing Receipt

☐ Claim for Priority w/Priority Doc _____
Country, Appl. # and Date

☐ Petition for Extension til _____

☐ Amendment ☐ Response : OA dtd _____

☐ Request for Approval of Drawing Changes

☐ CPA Request ☐ w/Ext of Time : OA dtd _____

☐ Notice of Appeal & Fee

☐ Brief : ☐ Appeal & Fee ☐ Reply

☐ Request for Oral Hearing

☐ Issue Fee : Allowance dtd _____

☐ Advance Patent Copies : # ordered _____

☐ Check # _____ for \$ _____

☐ Check # _____ for \$ _____

☒ FEE TRANSMITTAL SHEET (IN DUPLICATE)

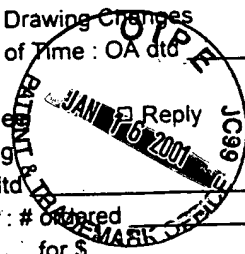
☒ ATTACHING ONE SEPARATE STAMPED POST

☒ CARD

☐ _____

B&W Rev. 4/99

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UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for nonprovisional applications under 37 C.F.R. 1.53(b))</small>		Attorney Docket No. 03797.00090	
		First Inventor	Charles P. Thacker et al.
		Title	IN-AIR GESTURES FOR ELECTROMAGNETIC COORDINATE DIGITIZERS
		Express Mail Label No.	

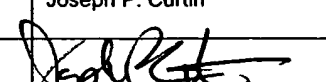
APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small> 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small> 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification [Total Pages 29] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none">- Descriptive title of the invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to sequence listing, a table, or a computer program listing appendix- Background of the invention- Brief Summary of the invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 4] 5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 5] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <small>(for a continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small> 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATIONS PARTS 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: _____
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18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____ / _____
Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label					or <input checked="" type="checkbox"/> Correspondence address below
<small>(Insert Customer No. or Attach bar code label here)</small>					
Name	Pamela I. Banner				
Address	Banner & Witcoff, Ltd.				
	1001 G Street N.W., Eleventh Floor				
City	Washington	State	D.C.	Zip Code	20001-4597
Country		Telephone	(202) 508-9100	Fax	(202) 508-9299

Name (Print/Type)	Joseph P. Curtin	Registration No. (Attorney/Agent)	34,571
Signature			Date Jan 16, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.